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General Motors LLC
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9 **UNITED STATES DISTRICT COURT**
10 **EASTERN DISTRICT OF CALIFORNIA**

11 DAKOTA MASSIE and NEIL
12 MANGLANI, individually and by and on
behalf of all others similarly situated,
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14 Plaintiffs,

15 v.

16 GENERAL MOTORS LLC and
DECIBEL INSIGHT, INC.,
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Defendants.
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Case No. 1:20-cv-01560 -JLT

**DECLARATION OF JAMIE BURNELL IN
SUPPORT OF DEFENDANT GENERAL
MOTORS LLC'S MOTION TO DISMISS
THE FIRST AMENDED COMPLAINT FOR
LACK OF PERSONAL JURISDICTION OR,
IN THE ALTERNATIVE, TRANSFER
VENUE**

INTRODUCTION

I, Jamie Burnell, declare:

1. I am Global Performance-Driven Marketing Insights & Recommendations Manager at General Motors LLC (“GM LLC”). As Performance-Driven Marketing Manager, I am responsible for Site measurement and optimization. I make this declaration in support of GM LLC’s motion to dismiss or, in the alternative, transfer this action.

2. I make this declaration based upon my personal knowledge and my review of certain business records that are either prepared and maintained in the ordinary course of GM LLC’s business or generated from queries to GM LLC’s electronic databases. If called as a witness in this action, I could and would competently testify to the matters below.

GM LLC Generally

3. GM LLC is incorporated in Delaware, and its principal place of business is located at 300 Renaissance Center, Detroit, Michigan, 48243.

4. GM LLC is a wholly-owned subsidiary of General Motors Holdings LLC (“GM Holdings LLC”). GM Holdings LLC is incorporated in Delaware, with its principal place of business in Michigan. GM Holdings LLC is a traditional holding company with no employees.

5. GM Holdings LLC is in turn wholly-owned by General Motors Company (“GM Company”). GM Company is incorporated in Delaware with its principal place of business in Michigan. GM Company is a traditional holding company with no employees.

GM LLC’s Activities in Michigan

6. GM LLC’s marketing division and employees are located in Michigan. GM LLC operates its Chevrolet, Buick, GMC, and Cadillac websites (“GM Websites”) through its marketing team out of its Michigan offices.

7. Session Replay software is a tool that captures randomly selected, anonymized website sessions to improve the functionality and user experience of websites—specifically, by demonstrating how much time is spent on a page, how long a page takes to load, and whether a user’s mouse clicks and movements indicate frustration.

9. Any personal information inputted on a website during a website session that is captured by Session Replay software is anonymized.

10. The GM LLC employees who have knowledge of the GM Websites, the use of the Session Replay technology on the GM Websites, and the commercial relationship between GM LLC and Decibel, live and work in Michigan. This includes any employees responsible for improving the functionality and user experience of the GM Websites through the review of any recordings acquired through Decibel Insight, Inc.'s ("Decibel") Session Replay technology.

11. GM LLC documents related to the GM Websites, the use of the Session Replay technology on the GM Websites, and the commercial relationship between GM LLC and Decibel are most likely to be in the possession of employees located in Detroit, and would need to be collected and reviewed at GM LLC's Detroit office.

GM LLC's Connections to California

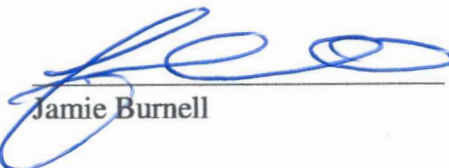
12. The GM Websites are accessible nationwide and do not target any particular state or region within the United States.

13. I am not aware of any GM LLC employee in the company's California offices that is involved in the operation or development of the GM Websites, or with GM's license agreement for the use of Decibel's technology.

14. I am not aware of any GM LLC document physically located in California that relates to the GM Websites, the use of the Session Replay technology on the GM Websites, or the commercial relationship between GM LLC and Decibel.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 12th day of April, 2021.


Jamie Burnell